

DATE 10/18/07¹⁹

APPLICATION NUMBER 10)533,334

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DOC DATE 10-19-07

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|---|---|----------------------------|
| In re Application of: | : | |
| ROYCROFT, Terence, James | : | DECISION ON PETITION UNDER |
| U.S. Application No.: 10/533,334 | : | 37 CFR 1.182 AND RENEWED |
| PCT No.: PCT/GB2003/004752 | : | PETITION UNDER |
| International Filing Date: 01 November 2003 | : | 37 CFR 1.47(b) |
| Priority Date: 01 November 2002 | : | |
| Attorney's Docket No.: 30451/04013 | : | |
| For: AMPHIBIOUS VEHICLE WHEEL | : | |
| TRANSMISSION ARRANGEMENT | : | |

This decision is issued in response to the petition under 37 CFR 1.182 filed herein on 11 October 2007 and the renewed petition under 37 CFR 1.47(b) filed on 18 May 2007. Applicant has submitted the petition fee required under 37 CFR 1.182; no additional petition fee is required with respect to the renewed petition under 37 CFR 1.47(b).

BACKGROUND

In a decision mailed by this Office on 17 November 2006, applicant's petition under 37 CFR 1.47(b) for acceptance of the application without the signature of the applicant was dismissed without prejudice for failure to satisfy the requirements of a grantable petition.

On 18 May 2007, applicants filed the renewed petition under 37 CFR 1.47(b) considered herein, with accompanying materials (including executed declaration and four-month extension fee). The transmittal letter included with the materials filed 18 May 2007 misidentified the application number as 10/553,334. Accordingly these materials were placed in unrelated application file 10/553,334.

On 11 October 2007, applicant filed the petition under 37 CFR 1.182 considered herein. The petition requests that the materials filed on 18 May 2007 be treated as having been filed in the present application on 18 May 2007.

DISCUSSION

1. Petition Under 37 CFR 1.182

The petition under 37 CFR 1.182 requests that the materials filed on 18 May 2007 under the transmittal letter directed to application number 10/553,334 be treated as having been filed in

the present application, 10/533,334, on 18 May 2007, as necessary to avoid abandonment of the present application.

The petition was accompanied by the required petition fee, and a review of the filed documents confirms that the proper application number was listed thereon, specifically on the front page of the renewed petition and on the executed declaration.

Applicant's submission satisfies the requirements for a grantable petition under 37 CFR 1.182. The renewed petition under 37 CFR 1.47(b) and accompanying materials will be treated as having been filed herein on 18 May 2007.

2. Renewed Petition Under 37 CFR 1.47(b)

The renewed petition under 37 CFR 1.47(b) includes a declaration executed by the previously non-signing inventor Terence James ROYCROFT.

Accordingly, applicant has now submitted a declaration in compliance with 37 CFR 1.497, and the petition under 37 CFR 1.47(b) seeking acceptance of the declaration without the applicant's signature is moot.

CONCLUSION

The petition under 37 CFR 1.182 is **GRANTED**.

The renewed petition under 37 CFR 1.47(b) and accompanying materials, including the executed declaration and extension fee, will be treated as having been filed in the present application on 18 May 2007.

Based on the filing of a declaration executed by the previously non-signing inventor, the renewed petition under 37 CFR 1.47(b) is dismissed as **MOOT**.

It is noted that, pursuant to applicant's request, the spelling of the inventor's first name in USPTO records has been corrected to Terence (rather than Terrence), the spelling of record for the inventor's name as set forth in the published international application.

This application is being forwarded to the National Stage Processing Branch of the PCT Operations Division for further processing in accord with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 18 May 2007.



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